

MEMO ENDORSED

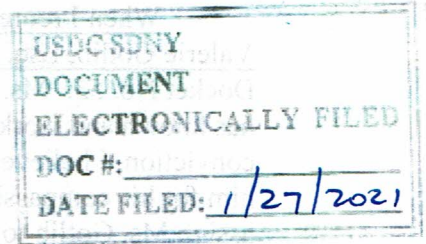
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December 30, 2020

BY ECF

The Honorable Nelson S. Roman
United States District Judge
Southern District of New York
United States Courthouse
300 Quarropas St.
White Plains, New York 10601

Due to the retirement of prior appointed CJA counsel, James DeVita, the Court hereby appoints Valerie Gotlib as CJA counsel for Defendant Sinclair's motion for compassionate release. Clerk of Court requested to terminate the motion (doc. 317). Dated: Jan. 27, 2021

Re: *United States v. Markel Overton, et al., (Jamaal Sinclair)*
Case No. 17 Cr. 644 (NSR)

SO ORDERED:


HON. NELSON S. ROMAN
UNITED STATES DISTRICT JUDGE

Dear Judge Roman:

I was assigned under the Criminal Justice Act to represent defendant Jamaal Sinclair in the above-captioned case. On March 28, 2019, Your Honor sentenced Mr. Sinclair to a term of Ninety (90) months, with credit for twenty-eight months already served in New York State custody for a State crime that was relevant conduct with respect to his Federal conviction. Your Honor also specified that his sentence was to run concurrently with the State sentence he was then serving. Judgment in a Criminal Case, Docket No. 122. Mr. Sinclair has now completed his State sentence, but instead of being transferred into Federal Custody with the United States Bureau of Prisons ("BOP"), he has been moved to the Warren County Correctional Facility in Lake George, New York while he awaits transfer to BOP custody.

Mr. Sinclair, through his family, has asked that I prepare and file a motion for compassionate release pursuant to 21 U.S.C. §3582(C)(1)(a)(i) on his behalf. Since Mr. Sinclair is still not in BOP custody and is therefore unable to pursue any administrative remedy pursuant to §3582(C)(1)(a), he is entitled to proceed directly to Court without the usual 30 waiting period. *United States v. Graham*, No. 16 Cr. 786 (NSR), 2020 WL 5604050 (S.D.N.Y. Sept. 17, 2020) at *1-*2. However, I am retiring from the practice of law as of December 31, 2020. I therefore request that Your Honor assign CJA counsel to represent Mr. Sinclair for his compassionate release motion.

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When I represented Mr. Sinclair prior to his guilty plea, Your Honor assigned Valerie Gotlib, Esq. to assist me as associate counsel. Order dated March 6, 2018, Docket No. 53. Ms. Gotlib has since become a member of the CJA Panel. Because she has known and worked with Mr. Sinclair in connection with the case resulting in his conviction, I believe she is in the best position to assume responsibility for representing him for his compassionate release motion. I there respectfully request that Your Honor assign Ms. Gotlib to represent Mr. Sinclair in connection with his requested compassionate release motion.

Respectfully submitted,

s/James R. DeVita

James R. DeVita

cc: AUSA Anden Chow (by email and ECF)
Valerie Gotlib, Esq. (by email)
Mr. Jamaal Sinclair (by mail)